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E-FILED - 4/20/09

Counsel for Defendant CRUZ-MORA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00256-RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
v.)	HEARING; [] ORDER
)	
JOSE LUIS CRUZ-MORA,)	
)	
Defendant.)	
_____)	

Defendant, Jose Luis Cruz-Mora by and through his attorney Nicholas P. Humy, and the United States, by and through Assistant United States Attorney Chad Mandell, hereby stipulate and agree to request that the Court continue the status conference currently set for Monday, April 20, 2009, in the above captioned matter to Monday, April 27, 2009 at 9:00 a.m. The continuance is necessary due to the unavailability of counsel for Mr. Cruz-Mora.

The parties further agree and stipulate that time should be excluded from and including April 20, 2009 through and including April 27, 2009, for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly, the United States and

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STIPULATION TO CONTINUE HEARING;
[] ORDER
CR 09-00256-RMW

1 the defendant agree that granting the requested exclusion of time will serve the interest of justice
2 and outweigh the interest of the public and defendant in a speedy trial.

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4 Dated: 4/17/09

/s/
NICHOLAS P. HUMY
Assistant Federal Public Defender

5
6 Dated: 4/17/09

/s/
CHAD MANDELL
Assistant United States Attorney

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9
10 **ORDER**

11 The parties have requested a continuance of the status conference set for Monday, April
12 20, 2009 due to the unavailability of defense counsel.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
14 presently set for Monday, April 20, 2009, be continued to Monday, April 27, 2009 at 9:00 a.m.

15 IT IS FURTHER ORDERED, that the time between April 20, 2009 through
16 April 27, 2009, shall be excluded for continuity of defense counsel, pursuant to Speedy Trial
17 Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

18 IT IS SO ORDERED.

19
20 Dated: 4/20/09



RONALD M. WHYTE
United States District Judge